

REMARKS/ARGUMENTS

1. Introduction

5 This is a full and timely response supplemental response to the Office Action of December 24, 2008. Claims 1, 2, and 17-19 are amended as supported at least by paragraphs [0020]-[0021]. No new material has been introduced. Reconsideration of the application is respectfully requested.

2. Background

10 Claims 1-2, 7, and 17-21 are rejected under 35 U.S.C 103(a) as being unpatentable over Schieve (US 5463766) in view of Sanchez (US 6477666). Claims 3-4 and 8 are rejected under 35 U.S.C 103(a) as being unpatentable over Schieve in view of Sanchez and in further view of Phillips (US 5321828).

15 3. Response

A) For the purposes of possible appeal, the applicant respectfully maintains arguments concerning the allowability of claims made in the previous Office action. These arguments are of record and need not be repeated here, but the applicant continues to believe that they are valid.

20 For example, in the response to arguments in this Office action, the Examiner states “It should be noted that, the claim language does not recite any limitations about processing both the general processing path and the error processing path for each event as the applicant argued.”

25 The applicant respectfully disagrees. For example claim 21 clearly comprises such limitations. “The method of claim 20 further comprising executing both the general processing path and the error processing path of all events of the plurality of events”, unless the Examiner is claiming that “all events” is somehow different than “each event”. Claim 2 also includes “all events”.

30 For another example, in the response to arguments, the Examiner also states

“Moreover, by incorporating Sanchez’s method to inject faults and errors (simulate) for testing the reliable and proper handling of various faults and exceptions....”.

5 The applicant again respectfully disagrees and maintains previous arguments that
“a firmware designer cannot achieve the present application by only the teaching from
Sanchez’s application because Sanchez’s application provides teaching in the software art,
not in the firmware art, and vice versa”. However, if only for the sake of discussion the
references were to be somehow combined, Sanchez’s method of injecting faults into the
system may inject faults, but would still fail to test the general processing path of devices
10 that are not present and detected by Schieve. Both processing paths must be tested and
merely injecting faults into the system would still fail to test the general processing path.

For at least these reasons the applicant respectfully requests reconsideration of
the applicant and that either the application be found allowable or that a new,
15 now-final Office action be issued detailing the Examiner’s reasoning overcoming the
above arguments.

B) To cooperate with the Examiner to a maximum extent and not due to
rejections found in this Office action, the applicant has chosen to amend independent
20 claim 1 replacing the term “an implementation under test” with “BIOS program code”
as supported at least by paragraphs [0020] and [0021] of the application as filed. No
new material is introduced. Similarly, independent claim 18 has also been amended
for the same reason, replacing the term “implementation under test” with “a driver
program” and is also supported at least by paragraphs [0020] and [0021].

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It is noted that it is impossible for Schieve to read on these limitations at least
because Schieve requires fully functioning core components, such as a CPU and disk.
Schieve states (Col.6, lines 31-43) that the disclosed method is practiced by loading
images from a disk. If images are loaded from the disk to perform the disclosed
30 method, at least the CPU, the memory, and the disk drive must all already be

functioning properly and would not execute the error processing path.

4. Summary

Known references fail to teach executing both the error processing path and the
5 general processing path of each event and therefore fail to meet every claim limitation.

Schieve requires fully functioning core components, such as a CPU and disk and
therefore would not execute the error processing path.

For at least these reasons, the applicant respectfully requests reconsideration of
claims 1-4, 6-8, and 17-21.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this
case.

Sincerely yours,

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 /Winston Hsu/ Date: 02/23/2009

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D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)

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